

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE SEPTEMBER 11TH LITIGATION	:	21 MC 97 (AKH)
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IN RE SEPTEMBER 11 PROPERTY DAMAGE	:	21 MC 101 (AKH)
AND BUSINESS LOSS LITIGATION	:	
	:	
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ALVIN K. HELLERSTEIN, U.S.D.J.:		

**SUMMARY ORDER**

Having been sued by the legal successors to those who perished on September 11, 2001, defendants the Port Authority of New York and New Jersey, the Port Authority Trans-Hudson Corporation, and WTC Retail LLC (collectively, “the Port Authority”) asserted cross-claims against their co-defendants for indemnity and contribution. The Port Authority also asserted cross-claims for property damage arising out of the hijacking and crash of United Airlines Flight 175 against, among others, U.S. Airways, Colgan Air, and Continental Airlines. See Cross-Claims by the Port Authority Against Certain Defendants in Plaintiffs’ Amended Flight 175 Master Liability Complaint, Sept. 10, 2004 (document no. 591).

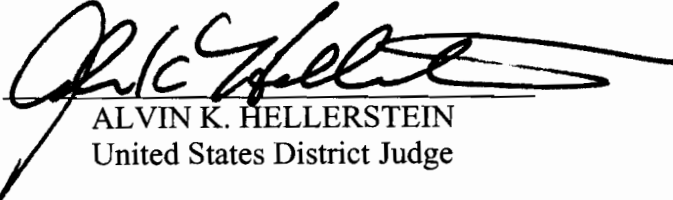
U.S. Airways, Colgan Air, and Continental Airlines moved for summary judgment pursuant to Rule 56, Fed. R. Civ. P., with respect to the Port Authority’s cross-claims arising out of Flight 175. On June 26, 2007, the parties appeared before me for oral argument. As stated on the record, their motions are GRANTED because of a lack of duty,

under the particular circumstances of this case, running from the moving defendants to the Port Authority.<sup>1</sup>

The Clerk shall enter judgment in favor of U.S. Airways, Colgan Air, and Continental Airlines with respect to Cross-Claims by the Port Authority Against Certain Defendants in Plaintiffs' Amended Flight 175 Master Liability Complaint, Sept. 10, 2004 (document no. 591).

SO ORDERED.

Date: July 9, 2007  
New York, New York

  
ALVIN K. HELLERSTEIN  
United States District Judge

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<sup>1</sup> I also granted summary judgment to the moving defendants for claims asserted by World Trade Center Properties LLC ("WTCP") arising out of the crash of United Airlines Flight 175. The summary order I issued following oral argument discussed WTCP's cross-claim complaint, but not the Port Authority's. See Summary Order, June 27, 2007.